



Docket No.: FOUND-0057  
(034103-048)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Philip Kwan  
SERIAL NO.: 10/631,898 CONFIRMATION NO.: 9803  
FILING DATE: August 1, 2003  
TITLE: System, Method and Apparatus for Providing Multiple Access Modes in a Data Communications Network  
EXAMINER: Chan, Sai Ming  
ART UNIT: 2616

### CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date printed below:

Date: July 27, 2007

Name: Karen A. Rogers

Karen A. Rogers

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Each item of information listed in the attached FORM PTO-1449, for which a copy of each is attached (unless the blanket waiver referred to below applies), may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR §§ 1.56, 1.97 and 1.98. The Examiner is requested to review, consider and document each such item in the official record of this application.

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This Information Disclosure Statement under 37 CFR §§ 1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

**I**

This statement is filed pursuant to (**CHECK ONE BOX**):

☐

**37 C.F.R. § 1.97(b).**

This information disclosure statement is filed either:

- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;
- (3) before the mailing date of a first office action on the merits; **or**
- (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114, **whichever event occurs last.**

**Accordingly, this information disclosure statement requires no fee and no certification.**

☒

**37 C.F.R. § 1.97(c).**

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97(b), but **before** the mailing date of any of the following:

- (1) a final action under 37 C.F.R. § 1.113;
- (2) a notice of allowance under 37 C.F.R. § 1.311; **or**
- (3) an action that otherwise closes prosecution in the application.

**Accordingly, this information disclosure statement requires either:**

- (1) the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c); **or**
- (2) a certification according to 37 C.F.R. § 1.97 (e)(1) or (2).

☐

**37 C.F.R. § 1.97(d).**

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97 (c).

**Accordingly, this information disclosure statement requires:**

- (1) a certification in accordance with 37 C.F.R. § 1.97(e); **and**
- (2) the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d).

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

## II

### Fees Due (**CHECK ONE BOX**):

- ☐ No fee is due.
- ☒ The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) or 37 C.F.R. § 1.97(d) is enclosed (**\$180**).

## III

### Certification (**CHECK ONE BOX**):

- ☒ No certification is necessary.
- ☐ Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned hereby certifies:  
That each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ Pursuant to 37 C.F.R. § 1.97(e)(2), the undersigned hereby certifies:  
No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.

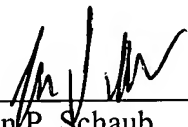
## IV

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge any additional required fee or credit any overpayment to deposit account  
number 50-1698.

Respectfully submitted,  
THELEN REID BROWN RAYSMAN & STEINER LLP

Dated: July 27, 2007

  
\_\_\_\_\_  
John P. Schaub  
Reg. No. 42,125

THELEN REID BROWN RAYSMAN & STEINER LLP  
P.O. Box 640640  
San Jose, CA 95164-0640  
(408) 292-5800 direct dial  
(408) 287-8040 direct fax



Form PTOS 449 U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. FOUND-0057 (034103-048)	Serial No.: 10/631,898
<b>Information Disclosure Statement by Applicant</b>		Applicant: Philip Kwan
(Use several sheets if necessary)		Filed: August 1, 2003 Group: 2661

**U.S. Patent Documents**

Init.		Document No.	Date	Name	Class	Subclass	Filing Date
		2005/0055570	3/10/2005	Kwan et al.			

**Foreign Documents**

Init.		Document No.	Date	Country	Class	Subclass	Translation	
							Yes	No

**Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)**

	A	Copending application Ser. No. 10/458,628 filed 6/11/03, entitled: "Multiple Tiered Network Security System, Method And Apparatus".
	B	Most recent Office Action issued by USPTO in copending application Ser. No. 10/458,628 dated 6/1/2007.
	C	Copending application Ser. No. 10/654,417 filed 9/4/03, entitled: "Multiple Tiered Network Security System, Method And Apparatus Using Dynamic User Policy Assignment".
	D	Most recent Office Action issued by USPTO in copending application Ser. No. 10/654,417 dated 6/18/2007.
	E	Hayes et al., "Authenticated VLANs: Secure Network Access at Layer 2, Alcatel Telecommunications Review, pp. 28-286, 2002.
	F	Microsoft, "Recommendations for IEEE 801.11 Access Points," 4/2/2002, pp. 1-12, obtained from <a href="http://www.microsoft.com/whdc/device/network/802x/AccessPts.mspc">http://www.microsoft.com/whdc/device/network/802x/AccessPts.mspc</a> .

Examiner	Date Considered
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.	

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/631,898

Filing Date

August 1, 2003

First Named Inventor

Philip Kwan

Art Unit

2616

Examiner Name

Chan, Sai Ming

Attorney Docket Number

FOUND-0057 (034103-048)

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☒ Fee Attached (Credit Card)☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/  
Incomplete Application☐ Reply to Missing Parts  
under 37 CFR1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
(please identify below):

1) 6 cited references

2) Return Postcard

**Remarks****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

THELEN REID BROWN RAYSMAN &amp; STEINER LLP

Signature

Printed Name

John P. Schaub

Date

July 27, 2007

Reg.  
No.

43,219

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Karen A. Rogers

Date

July 27, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.